

**Office of General Counsel****ROBERT T. REILLY***General Counsel***Albany****Jennifer N. Coffey**  
*Associate General Counsel***Buffalo****Lena M. Ackerman**  
*Assistant General Counsel***New York****Jennifer A. Hogan**  
*Associate General Counsel*

June 9, 2025

**VIA ECF & EMAIL** ([Failla\\_NYSDChambers@nysd.uscourts.gov](mailto:Failla_NYSDChambers@nysd.uscourts.gov))

Honorable Katherine Polk Failla  
 United States District Court  
 Southern District of New York  
 Thurgood Marshall Courthouse  
 40 Foley Square  
 New York, NY 10007

**MEMO ENDORSED**

**Re: B.G., et al. v. City of New York, et al.**  
**Case: 1:23-cv-03761 (KPF)**  
**Our File No. 267805-F100**

Dear Judge Failla:

In accordance with Your Honor's April 7, 2025 order, counsel for all parties submit this letter update on the status of settlement discussions, the necessity of extending the partial stay of discovery, and a revised scheduling order.

Since the April 7, 2025 order, the parties have continued to engage in settlement discussions with Magistrate Judge Robyn F. Tarnofsky. On May 8, 2025, Judge Tarnofsky held an in-person settlement conference with counsel for Plaintiffs and Defendants, at which the parties reached a settlement in principle for monetary damages, and established a time frame for reconciling attorneys' fees and the remaining injunctive relief measures relating to an emergency notification system at P.S. 347. The May 8, 2025 settlement conference also included a discussion of drafting settlement language as the settlement conversations continue. To further facilitate a full resolution of this matter, Judge Tarnofsky held a virtual settlement conference with counsel for all parties earlier today. During this morning's conference, the parties' counsel discussed with Judge Tarnofsky the progress of the settlement discussions and confirmed an in-person settlement conference on June 26, 2025.

The settlement discussions are progressing and continue to be productive, and the parties are scheduled to appear before Judge Tarnofsky at an in-person settlement conference on June 26, 2025. Accordingly, the parties respectfully request an extension of two additional months to seek to resolve this case and a concomitant extension of the partial stay of discovery. This is the parties' eighth request for an extension of the partial stay of discovery.

Should a partial stay remain in place, the parties also respectfully request that a revised scheduling order be submitted at a later time. Depending on whether the parties can finalize the settlement discussions, the parties can provide a future update to Your Honor on the issue of a revised scheduling order.

Therefore, we respectfully request an extension until August 11, 2025 to provide a status update and respond as to whether a revised scheduling order is needed.

Thank you for your continued consideration and attention in this matter.

Respectfully,

ROBERT T. REILLY

By: /s/ Junou M. Odige  
JUNOU M. ODIGE  
KEITH J. GROSS  
Of Counsel

JMO:KJG/ts

c: Hon. Robyn F. Tarnofsky  
(via email [TarnofskyNYSDChambers@nysd.uscourts.gov](mailto:TarnofskyNYSDChambers@nysd.uscourts.gov))

Counsel for Plaintiffs & Defendants (via ECF)

Application GRANTED. The parties shall file a letter update concerning, as appropriate, the status of settlement discussions, the necessity of extending the partial stay of discovery, and / or a revised scheduling order on or before **August 11, 2025**.

The Clerk of Court is directed to terminate the pending motion at docket entry 73.

Dated: June 9, 2025  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE